App. F. IX-4

Previous References.

1940.
(S&A)

File No. 511-40

Serial Nos. 1 to 3

Later References.
S+A 511-40-4-6.

PRESERVED

GENERAL AND REVENUE SECRETARIAT.

Pres 5

Serial Nos. Three

Part B for

SUBJECT.

Treatment of Maternity Leave granted to employees of the non-Calcutta depts. for purposes of Pension.

Serial No

... in ... in 5/6 May 1941 from the Comptroller requesting Sanction to in regard to the treatment of maternity leave granted to women employees of non-vacation depts and in radium leave.

It is but fair that the maternity leave granted to the women employees of non-vacation depts, shd be treated as on the same basis with that of the maternity leave granted to women employees of the ~~non~~ Vacation depts for purposes of pension.

It appears also necessary to issue an amendment to the Art 260 M.S.R. for the treatment of the maternity leave granted to the women employees of non vacation depts on the same lines with that of leave granted to women employees of vacation depts.

As per the treatment of radium leave, ~~it appears~~ referred to by the comptroller, it appears, that it has to be placed on the same basis with that of privilege leave or subsidy leave, ~~this~~ for purposes of pension. The radium leave has also to be treated ~~on the same basis~~ as active service under Art 5 HSR as privilege leave allowances are admissible during radium leave under Art 196 A. HSR.

~~It~~ Submitted for orders.

23/5

4 The analogy drawn by the Comptr is perhaps not tenable for the following reasons:-

1. 'Active Service' in Art. 5 HSR is qualifying service, and ~~it~~ leave

Maternity - Special

S&A File No.

General and Revenue Secretariat

Serial No.

Reminder of "Maternity ..." does not imply exemption from the restrictions imposed by Art. 260

2. The "Maternity leave" itself occurs under the Chapter on Special Leave.

3. Privilege leave to employee of vacation Depts is on half pay.

From the discussion in S&A File S4-31-2&3 it is seen that the Convocation in (3) above has influenced the exception to Art. 260 in favour of the employee of Vacation Depts.

However in view of the limitation of the Maximum period of the Maternity leave to 6 weeks (Vide Art. 196 as amended) and the then 1st Member's (Sir Krishna Rao's) Minute at P.B in S&A File S4-31-2&3, the women employees of the Non-Vacation Depts may also, if approved, be included in the Exception to Art. 260. This Could be secured by the simple amendment of inserting "Non-Vacation" between "Vacation" & "Depts" in lines 1&2 of Exception to Art. 260.

Z

Serial No.

This may be taken up separately if raised by the S.S. or a case arises. ~~This leave is distributed over the~~ ~~leaves, & the~~ Opl

Secondly, the Special (Radium) leave which is in the nature of Compulsory leave may also be included in the said exception. The limit would be that maternity leave plus privilege leave or Special leave (Radium) plus privilege leave should not exceed the maximum limit prescribed in p. 4.

Opl
26/5/41
Opl

~~There is another kind of leave "Examination leave", which is included in "Active service". Does this leave~~

So long as the proviso to the exception to Art. 260 (ensuring that the maternity leave + privilege leave taken by an office shall not together exceed what would be admissible if she had availed of the whole of the privilege leave to which she is entitled under the rules) is observed, there appears to be no objection to ~~make~~ the distinction in this respect between women employees in the Vacation & non-Vacation Depts. Reference is invited to the Govt Member's minute d. 30.7.30 in S&A 54-31 below.

Dpl J

~~Radium leave also may be brought under the exception~~

Opl 26/5

NOTE—Contn. Sheet.

Dpl L.
The words "of the Vacation Depts" in exception to Art 260 may be omitted.

S & A File No. 5-11 11458 of 194 . | General and Revenue Secretariat

Serial No.

So long as the proviso is safeguarded or kept up, i.e. both Govt. & prev. leave not exceeding 180 days previous possible, there can be no objection to the Govt. servant being allowed to commute his leave.

HCJ) 16/6/41

I agree with the Dy Secretary)
AD
16.6.41

Mr Hamilton) Please put up with Mr 12872 16.6.41
Dy Secy)

HC 17/6

OFFICE OF THE MINISTER FOR [illegible] & REVENUE
2 [illegible] 1941
13037.

AD 20/6

Mr Hamilton) AD 25/6/41

AD - Draft G.O. may be HC put up for 8/7 sign.

AD 8.7.41
HJS 8/7/41

Submitted with a draft for approval.
(Whether a G.O is not necessary or may not precede the amendment is for consideration)

Draft G.O. ~~also~~ may be put up

GA 10/7

General and Revenue Secretariat | File No. 5 N of 1940. | [App. F. III-2

Serial No.

Resubmitted with draft G.O. and A & C slip for approval.

Please post up fair draft

A fair draft submitted.

Draft G.O. & draft A & C slip put up for consid
(the A & C slip merely proposes omission of the words "of the Vacation Dept" in Exception to Art. 260).

TYPING SECTION 15 JULY 1941 GEN. & REV. SECTT.

OFFICE OF THE MINISTER FOR FINANCE & REVENUE 16 JULY 1941 338.

TYPING SECTION 22 JULY 1941 GEN. & REV. SECTT.

NOTE—Contn. Sheet.

Amendment to Article 260, T.N.S.R

SJP File No. 511 of 1940. | General and Revenu Secretariat

Serial No.

To

The Comptroller
The Senior Surgeon
D.P.S.
Director of Industries and Commerce,
Govt Director of Industrial Concerns

No H 533-37 dated 24-7-41

Directs that the concession allowed under exception to Art 260, T.N.S.R. in respect of maternity leave enjoyed by employees of its vacation Depts is extended to the employees of its new vacation Depts subject to the condition that the periods covered by such leave plus Privilege leave shall not exceed the P.L to which they are entitled.

To

The A Comptroller

No H 538 of 24-7-41

Issues an amendment to Art 260, T.N.S.R

OB

OFFICE OF THE COMPTROLLER TO THE GOVERNMENT
OF HIS HIGHNESS THE MAHARAJA OF MYSORE

No 535/Pen. Bangalore, dated 5th May 1941

GEN. & REV. SECR. - 9 MAY 1941 4458 FINANCIAL BRANCH.

From

M. VIRARAJA URS, Esqr., B.A., B.L.,
Comptroller to the Government of
His Highness the Maharaja of Mysore,
BANGALORE.

To

Rajasevaprasakta
A. N. Raghavachar, Esq., M.A.,
Financial Secretary to Government of Mysore,
Bangalore.

Sir,

I have the honour to state that under Article 259 M.S.R., time passed on leave other than privilege leave or subsidiary leave does not count as superior service qualifying for pension except as provided in Article 260 M.S.R. But a point is raised as to whether Maternity leave which is included in active service (vide Article 5 M.S.R.) in the same way as privilege leave and subsidiary leave, should not be treated as on a par with such leave for purposes of pension under Article 259 M.S.R. It is seen that while Maternity leave enjoyed by the women employees of the vacation Departments counts for pension under the conditions prescribed in the exception to Article 260 M.S.R. no mention is made of the time passed on Maternity leave by the women employees of the non-vacation departments. It stands to reason that since Maternity leave is included in the active service, it should be treated as on a par with privilege leave for purposes of pension under Article 259. In case Government agree with this view, it is necessary that the rule should be amended to include it specifically.

2) But if on the other hand it can only be regarded as similar in kind to other leave such as furlough, Maternity leave can fall under Article 260 only and will then be subject to the limitation prescribed therein viz., maximum of one year for 15 years' service or 2 years for 30 years' of total service. I request orders of Government as to how maternity leave of absence granted to married women employees

in

in non-vacation department under Article 196 M.S.R. should be treated in reckoning service qualifying for pension.

3) In this connection I would also request Government to issue a ruling regarding the treatment of Special Leave introduced in Article 196A. M.S.R. for purposes of pension.

I have the honour to be
Sir,
Your most obedient servant,

M. Viswas a Ms
Comptroller.

Ag 515

S. O.

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE.

FINANCIAL DEPARTMENT.

G. O. No. Fl. 533-37—S. & A. 511-40-2, dated 24th July 1941.

Maternity Leave.

Treatment of —— granted to employees of the non-vacation departments, for purposes of pension.

READ—

Letter No. 535—Pension, dated 5—6th May 1941, from the Comptroller, soliciting orders of Government as to how, in the circumstances mentioned, the maternity leave of absence granted to women employees of non-vacation departments under Article 196, Mysore Service Regulations, should be treated in recognising service qualifying for pension.

ORDER NO. FL. 533-37—S. & A. 511-40-2, DATED BANGALORE, THE 24TH JULY 1941.

Under Article 259, Mysore Service Regulations, time passed on leave other than privilege or subsidiary leave, does not count as superior service qualifying for pension, except as provided in Article 260. Under the exception to Article 260, time passed on maternity leave may, in the case of employees of the Vacation Departments, be allowed to count as qualifying service, provided that the periods covered by such leave and also privilege leave shall not exceed what would have been admissible had they availed of the whole of the privilege leave to which they were entitled under the rules. The Comptroller points out that while maternity leave is included in "Active Service" under Article 5 of the Mysore Service Regulations, the exception to Article 260 referred to above is silent as to how the time spent on such leave should be treated for purposes of pension in the case of employees of non-vacation departments, and suggests that the maternity leave should be treated as on a par with privilege leave for purposes of pension under Article 259 in the case of their employees also.

In the circumstances mentioned, Government are pleased to direct that the concession allowed under exception to Article 260, Mysore Service Regulations, in respect of maternity leave enjoyed by employees of the Vacation Departments, be extended to the employees of the non-vacation departments, subject to the same conditions, *viz.*, that the periods covered by such leave and also privilege leave shall not exceed what would have been admissible had they availed of the whole of the privilege leave to which they were entitled to, under the rules.

An amendment to the Mysore Service Regulations will issue separately.

A. N. RAGHAVACHAR,
Secretary to Government,
Financial Department.

To—The Comptroller to Government.
The Senior Surgeon in Mysore.
The Director of Public Instruction in Mysore.
The Director of Industries and Commerce in Mysore.
The Government Director of Industrial Concerns.

Exd. -C. K.

WD 2634—GPB—410—4-9-41

PROCEEDINGS OF THE GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE.

Read :—

Letter No.533/Pension dated 5/6th May 1941 from the Comptroller, soliciting orders of Government as to how, in the circumstances mentioned, the maternity leave of absence granted to women employees of non-vacation Departments under Article 196 C.S.R. should be treated in reckoning service qualifying for pension.

Order No. H 633-37/S-A 511-40-2
Bangalore, dated, 24 July 1941.

Under Article 260, C. S. R., time passed on leave other than privilege leave or subsidiary leave, does not count as superior service qualifying for pension, except as provided in Article 260. Under the exception to Article 260, time passed on maternity leave may, in the case of employees of the Vacation Departments, be allowed to count as qualifying service, provided that the periods covered by such leave and also privile leave shall not exceed what would have been admissible, had they availed of the whole of the privilege leave to which they were entitled under the rules. The Comptroller points out that while maternity leave is included in "active service", under Article 3 of the C. S. R., the exception to Article 260 referred to above is silent as to how the time spent on such leave should be treated for purposes of pension in the case of employees of non-vacation Departments, and suggests that the maternity leave should be treated as on a par with privilege leave for purposes of pension under Article 260, in the case of their employees also.

In the circumstances mentioned, Government are pleased to direct that the concession allowed under exception to article 260 C. S. R. in respect of maternity leave enjoyed by employees

employees of the vacation Departments, be extended to the employees of the non-vacation Departments, subject to the same conditions, viz., that the periods covered by such leave and also privilege leave shall not exceed what would have been admissible, had they availed of the whole of the privilege leave to which they were entitled to, under the rules.

An amendment to the M. S. R. will issue separately.

For Secretary to Government,
Financial Department.

To

The Comptroller to Government,
" Senior Surgeon in Mysore,
" Director of Public Instructions in Mysore,
" Director of Industries & Commerce,
" Government Director of Industrial Concerns.

TS.

G. R. S. App. F VI—G 2]

SUBJECT .....

.....

.....

Diary No. of letter replied to .....

General and Revenue Secretariat

( )

the 193 .

Date of issue ..... 24 . 7 . 1941 .

Signed by ..... Mw C.G.R

May this be—

(i) printed ?

(ii) treated as a standing order ?

(iii) published in the Gazette, English Part ?

(iv) translated ?

(v) placed at the disposal of the press ?

(vi) published in the Gazette, Kannada Part ?

Section. 2 F VI

File No. 5 11 20

Serial No. 6

Proceedings of the Government of His Highness the Maharaja of Mysore

Read— Letter no 535/pension 41 5/6 May 1941 from the Comptroller soliciting orders of Govt as to how, in the circumstances mentioned, the maternity leave & absence granted to women employees from vacation dept under Art 196 MSR should be treated in reckoning service qualifying for pension.

Order thereon.—No. 76 S 33-37 dt. 24-7-41

Under Art 25 of MSR, time passed on leave, other than privilege leave or Subsidiary leave, does not count as Superior service qualifying for pension except as provided in Art 260. Under the exception to Art 260, time passed on Maternity leave may, in the case

of employees of the vacation depts ~~should~~ be allowed to count as qualifying service, provided that the periods covered by such leave and also privilege leave shall not exceed what would have been admissible had they availed of the whole of the privilege leave to which they were entitled under the rules. The comptroller points out that while Maternity leave is included in "active service", under Art. 5 of the TSR, the exception to A1260 referred to above is silent as to how the time spent on such leave should be treated for purposes of pension in the case of employees of non-vacation depts, and suggests that ~~the question of treating~~ the maternity leave ~~should be treated as in the case of these employees also~~ on a par with privilege leave for purposes of pension under Art 259, in the case of the vacation employees etc.

In the circumstances mentioned, the Govt are pleased to direct that the concession allowed under exception to Art. 260 TSR in respect of maternity leave enjoyed by employees of the vacation depts be

List of Enclosure

Copied by

Examined by

WD 0564—GPI—22,500 —9-1-39

G. R. S. App. F. G. 3.

GENERAL AND REVENUE SECRETARIAT.

(Continuation sheet draft form.)

excluded to ~~similar leave expired~~ the employees of the non-vacation depts, subject to the same condition viz that the periods covered by such leave and also privilege leave shall not exceed what would have been admissible had they availed of the whole of the privilege leave to which they were entitled under the rules.

An amendment to the M.S.R will issue separately.

AN 16.7.41

Financial Secretary

15/7/41

To

The Comptroller to Govt
The Senior Surgeon in Kenya
The D.P.I. in Kenya
The Dir of Industries & Commerce
The Govt Dir of Industrial Concerns

WD 0280—GPB—22,500—14-3-38

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE.

General & Revenue Secretariat,

No. F 538/ SRA 511-40-3. Dated, Bangalore, 24 July 1941.

ADDENDA AND CORRIGENDA SLIP TO EXCEPTION UNDER

Article 260 M.S.R.

Page 80 Article 260.

Delete the words "of the vacation Departments" in the first and second lines of the Exception under Article 260, M.S.R.

For Secretary to Government,
Financial Department.

To

The Comptroller to Government, with reference to his letter No. 535/Pension dated 5th/6th May 1941.

JGN 13.

Financial Secretary

TO

Re—complaint of [illegible] with reference to his letter no 535/pension 57 5/6 of May 1941. As regards the treatment of Radium leave introduced in Art 196 A. MSR. it may be taken up separately if raised by the Senior Surgeon or [illegible] case arises.

List of Enclosure

Copied by

Examined by

WD 0564—GPB—22,500—9-1-39

G. R. S. App. F VI--G 2

SUBJECT .....

.....

.....

Diary No. of letter replied to .....

General and Revenue Secretariat

( )

193 .

Date of issue .....193 .

Signed by .....

May this be

(i) printed ?

(ii) treated as a standing order ?

(iii) published in the Gazette, English Part ?

(iv) translated ?

(v) placed at the disposal of the press ?

(vi) published in the Gazette, Kannada Part ?

Section.

File No.

Serial No.

Proceedings of the Government of His Highness the Maharaja of Mysore

R 538

Read--

~~Order thereon—No.~~

Addenda & corrigenda slip to [redacted] exception under Article 260 M.S.R.

Page 80. Article 26

delete the words "of the vacal depts" ~~occurring~~ arising in the discipline & the exception under Article 260 M